IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7457 OF 2006

Shri. Shankar Hanumant Payagude ...Petitioner

V/s.

M/s.Tharkude Hotels Pvt. Ltd. ...Respondent

Shri.Anilkumar Patil for the Petitioner.
None for the respondent.

CORAM : A.P. DESHPANDE, J.

DATED : 23TH NOVEMBER, 2006.

P.C. :-

1. Present petitioner is tenant, whereas respondent is landlord. During the pendency of the suit, the Trial Court has granted an application for amendment in the plaint filed by the respondent/plaintiff. The plaintiff/landlord, in the plaint as originally filed, has described the suit property as City Survey No.34/11. Whereas by the proposed amendment correction is sought as regards the City Survey No. from 31/11 to No.34/4. The Trial Court's record reveal that the petitioner is in occupation of tenanted premises which is the subject matter of the suit. There is no other

premises situate nearby or at any other place wherein petitioner is tenant. Hence, wrong mention of survey number was a mistake which has been permitted to be corrected by the Trial Court.

2. Perused the order. No interference is called for. The petition is summarily rejected.

A.P. DESHPANDE, J.